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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Albert Vaughn Smith,

10 Plaintiff,

11 v.

12 Charles L. Ryan,

13 Defendant.
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No. CV-18-02657-PHX-SPL (ESW)

ORDER

15 Before the Court is the Defendants' Motion for Clarification (Doc. 72) seeking
16 clarification of the Court's Order (Doc. 71) in which the Court entered a temporary
17 restraining order requiring the Plaintiff to be placed in protective custody pending a
18 preliminary injunction hearing. The Court scheduled a Preliminary Injunction hearing on
19 the Plaintiff's motion for a temporary restraining order August 26, 2019, to determine
20 whether a further injunction should issue.

21 The relief requested in the Plaintiff's motion for temporary restraining order is
22 placement in a protective custody unit away from the general population inmates at Eyman
23 Complex. (Doc. 70 at 3) In the Motion for Clarification, the Defendants state that the
24 Plaintiff is currently housed in the ASPC-Eyman Enhanced Security Unit, which is a
25 protective custody environment. (Doc. 72 at 2) The Defendants represent that the Plaintiff
26 remains classified as a protective custody inmate, and "[d]ue to heightened security
27 protocols, Enhanced Security is considered the most secure housing location within the
28 ADC." (Doc. 72 at 2)

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2 Therefore, the Court finds that the Plaintiff's motion for temporary restraining order
3 is moot, as the Plaintiff's request to be housed in protective custody has already been
4 granted. Accordingly,

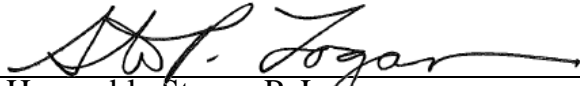
5 **IT IS ORDERED** that the Defendants' Motion for Immediate Clarification of the
6 Court's Order Filed August 21, 2019 (Doc. 72) is **granted**;

7 **IT IS FURTHER ORDERED** that the Plaintiff's Motion for Temporary
8 Restraining Order (Doc. 70) is **denied as moot**;

9 **IT IS FURTHER ORDERED** that the Court's Order (Doc. 71) is **vacated**; and

10 **IT IS FURTHER ORDERED** that the hearing presently set for **August 26, 2019**
11 before the Honorable Steven P. Logan is **vacated**.

12 Dated this 23rd day of August, 2019.

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17 Honorable Steven P. Logan
18 United States District Judge
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